

# MICHIGAN DRUG COURT GRANT PROGRAM

## PROGRAM DESCRIPTION AND REQUIREMENTS

Fiscal Year 2007

### Purpose Area – Implementation/Continuation Grant

#### Overview:

Implementation/Continuation grants are for jurisdictions that have completed a substantial amount of planning and are ready to implement a drug court or are fully operational and are seeking funds to continue operations.

#### Purpose and Goals:

Implementation/Continuation grants will assist jurisdictions in implementing cost-effective drug court programs that are based on *Defining Drug Courts: The Key Components*, and assist in supporting the continuation of drug courts that are fully operational. DWI, Juvenile, and Family Dependency drug courts, should also be based on the principles and strategies outlined in the *Ten Guiding Principles of DWI Courts*, *Juvenile Drug Court: Strategies in Practice* (16 Strategies of Juvenile Drug Courts) or *Family Dependency Treatment Courts: Addressing Child Abuse and Neglect Cases Using the Drug Court Model*.

For these publications, refer to the following links:

The Key Components: <http://www.ojp.usdoj.gov/BJA/grant/DrugCourts/DefiningDC.pdf>

DWI Courts: [http://www.ndci.org/pdf/Guiding\\_Principles\\_of\\_DWI\\_Court.pdf](http://www.ndci.org/pdf/Guiding_Principles_of_DWI_Court.pdf)

Juvenile Drug Courts: <http://www.ncjrs.gov/pdffiles1/bja/197866.pdf>

Family Dependency Drug Courts: <http://www.ncjrs.gov/pdffiles1/bja/206809.pdf>

The proposed drug court program should:

- A. Promote public safety and contribute to a reduction in substance abuse and recidivism among nonviolent adult and/or juvenile substance abusing offenders;
- B. Reduce reliance on incarceration within existing correctional systems and local jails;
- C. Use a nonadversarial approach to provide:
  - 1. Early identification, referral, and screening; early and frequent judicial supervision; special case processing; and random and frequent drug testing;
  - 2. Coordinated, managed, comprehensive, and appropriate substance abuse treatment services, as well as a full array of ancillary services ranging from, but not limited to, mental health, educational, vocational, public housing, and family health care;

3. Regular staffing and status hearings at which the supervising judicial official reviews the progress (or lack thereof) of each participating defendant;
  4. Appropriate incentives and sanctions, including the possibility of confinement, incarceration, or prosecution in the event of a defendant's noncompliance with drug court program requirements; and
  5. Ongoing criminal justice supervision and case management through pretrial, probation, or other supervised release programs, using monitoring, tracking, and case management.
- D. Establish monitoring and evaluation measures that will demonstrate the effectiveness of the program; and
- E. Demonstrate coordination and collaboration with existing community resources and initiatives under way at the federal, state, or local level to meet the needs of this population and forge new partnerships among criminal justice agencies (law enforcement, prosecution, defense, pretrial, probation), human services agencies, and community-based organizations to enhance program effectiveness.

### **Program Requirements:**

- I. **Applicant Summary:** The applicant summary should be completed including signatures as required. (page six of the grant application)
- II. **Program Abstract:** A one-page program abstract summarizing the goals and objectives of the grant request.
- III. **Narrative:** The program narrative must not exceed 20 double-spaced pages and must reflect the above purpose and goals which, at a minimum, are based on *Defining Drug Courts: The Key Components*. The program narrative must include the following:
  - A. Problem statement that describes for:
    1. Applicants that are implementing a drug court:
      - a. The current case process in the jurisdiction, the volume and any recent increases in nonviolent drug offenses or child abuse and neglect cases;
      - b. The time frame (any delays) for case disposition; and
      - c. The degree to which incarceration/detention is currently relied upon for these offenders; or in the case of child abuse and neglect, the degree to which foster care and adoption is currently relied upon for children of these offenders.

2. Applicants that are fully implemented:
    - a. How the case process in the jurisdiction will be affected in the absence of the drug court;
    - b. How the time frame (or delays) for case disposition will be affected in the absence of the drug court; and
    - c. The degree to which incarceration/detention rates will be affected or in the case of child abuse the degree to which foster care and adoption rates will be affected for children of these offenders.
- B. Stated goals and outcomes that describe:
1. The extent to which the proposed initiative will or has:
    - a. Reduce(d) drug use;
    - b. Reduce(d) drug-related crime;
    - c. Alleviate(d) court crowding;
    - d. Alleviate(d) incarceration in local jails;
    - e. Reduce(d) child abuse and neglect (if applicable), and
    - f. Achieve(d) other goals.
- C. A detailed discussion of how the achievement of the goals and program outcomes will be measured. Identify each goal and expected outcome and describe the methods that will be used for measuring the success of each.
- D. A description of how the program's performance will be measured. What specific measures will be used to determine the degree in which the program is implemented and functioning as designed? This discussion should include a description of each performance indicator, how the performance indicators will be measured, how often, and in what ways these measures will be used to monitor and improve the program's performance.
- E. A discussion of the drug court program that includes the following:
1. The target population
  2. Screening and Eligibility
    - a. What are the eligibility criteria?
    - b. At what point in the case process does the initial screening occur?
    - c. How are potential drug court participants identified?

- d. Who conducts the initial screening of offenders, and who determines eligibility?

3. Assessments

- a. Who is responsible for conducting the assessments?
- b. At what point in the case process does the assessment occur?
- c. What assessment instrument is used to determine alcohol/drug abuse or dependence? (see 2004 PA 224, §§ 1064 and 1066).
- d. Are Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) codes determined based on the assessment?
- e. Is the American Society of Addiction Medicine (ASAM) criteria used to determine the appropriate level of substance abuse treatment? If not, how is the appropriate level of treatment determined?

4. Case Processing

- a. Do defendants typically enter drug court as a condition of a probation sentence/adjudication or on a delayed or deferred sentence/adjudication?
- b. How are the cases resolved as a result of the defendant's successful or unsuccessful completion of the drug court program for the conditions listed in a.?

5. Treatment Continuum and Plan, Including Ancillary Plan

- a. How many substance abuse treatment agencies are available to drug court participants?
- b. Is treatment provided in-house, through direct contracts with the individual providers or through a single contract with the local Substance Abuse Coordinating Agency?
- c. If contract, was there a competitive bid process?
- d. What range of substance abuse treatment services is available?
- e. What is the process for matching defendants to providers based on the individual differences among defendants?
- f. What is the process for developing the treatment plan and how is the process linked to the members of the drug court team (judge, prosecutor, defense, coordinator, etc.)

- g. How often is the treatment plan reviewed?
- h. Discuss the ancillary services that are available to participants.

6. Program Length

- a. What is the minimum and maximum length of the drug court program?
- b. What factors were used to determine the length of the program?
- c. How many phases does the program consist of?
- d. What factors were used to determine the length of time for each phase?
- e. What activities are required of the participant in each phase? (e.g., the number and type of drug tests per week, number of self-help group meetings, etc.)

7. Case Management

- a. Who is responsible for providing case management and what is the approximate caseload per case manager?
- b. What are the responsibilities of the case manager?
- c. How are the responsibilities and activities of the case manager integrated with the activities of the treatment provider and ancillary services?
- d. How frequently does the case manager have contact with the participant? Are the contacts direct (face-to face) or indirect (telephone check in)?

8. Judicial Supervision

- a. How frequently does the drug court participant appear before the judge for status review hearings?
- b. Who, other than the judge and the participant, participates in the status hearings (e.g., prosecutor, defense attorney, probation, treatment)?
- c. Are the status review hearings recorded and a matter of public record?
- d. Are there staffing meetings to discuss offenders' progress before the regular status hearings before the judge? If no, explain why?

- e. If yes, who participates in the staffing meetings?

9. Drug Testing

- a. How frequently are the participants tested? What drugs are tested for?
- b. Who is responsible for drug testing?
- c. Who is notified of the results, and how soon does this occur?
- d. What is the response to a positive urine? (First, second, third time etc.)

10. Sanctions and Incentives

- a. List the sanctions and incentives that will be used.
- b. Describe when and how they will be used.

11. Graduation Requirements

- a. Explain in detail the definition of graduation. Example: does graduation mean that the defendant has completed all requirements of drug court and is no longer under the jurisdiction of the court? Or has the defendant completed the requirements of a number of phases and is being continued under the jurisdiction of the court in a follow-up phase? After graduation, is the defendant required to return for periodic judicial supervision or case management supervision?
- b. Discuss the participant requirements for graduation.
- c. Are there any expectations or conditions that are required of the defendant after graduation by the drug court, which if not met could result in legal sanctions?

12. Expulsion Criteria

- a. Discuss the criteria for terminating a defendant before successfully completing the program.

F. Description of the Role of the Drug Court Team

- 1. Identify the key players of the drug court team and identify their roles and responsibilities.
- 2. Describe the mechanisms for communication.

- G. Description of the Evaluation Plan and Follow-up Methods  
(refer to 2004 PA 224, § 1078, for further detail)
1. Describe how data will be collected and used to manage the program effectively.
  2. Describe the proposed process and outcome evaluation plans.
  3. Describe the proposed data collection plans.
  4. Describe how rearrest and reconviction data for individuals who were discharged both successfully and unsuccessfully from drug court will be collected. How frequently and for how long will these data be collected?
- IV. **Budget:** The budget section of the grant application, including the budget narrative, should be completed according to the directions outlined in the budget section. (pages 8 through 16 of the grant application)
- V. **Assurances:** Complete the assurances section of the grant application, which includes required signatures. (pages 17 through 19 of the grant application)
- VI. **Memorandum of Understanding:** Pursuant to 2004 PA 224, § 1062, applicants are required to have a memorandum of understanding (MOU) with each local prosecuting attorney, a representative of the criminal defense bar, and a representative or representatives of community treatment providers, as well as any other parties considered necessary to successful planning and implementation. Include in the appendix a copy of your jurisdiction's MOU with all required and original signatures.